

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

UNITED STATES OF AMERICA,

Criminal No. 09-285 JRT/JJK

Plaintiff,

v.

**ORDER**

NUARL STEPHON EARL,

Defendant.

---

Kimberly Svendsen, Assistant United States Attorneys, **OFFICE OF THE UNITED STATES ATTORNEY**, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, for plaintiff.

Lyonel Norris, Assistant Federal Defender, **OFFICE OF THE FEDERAL DEFENDER**, 300 South Fourth Street, Suite 107, Minneapolis, MN 55415, for defendant.

This matter is before the Court upon the defendant's motion to continue trial [Docket No. 47] and motion to exclude time under the Speedy Trial Act computations in this case [Docket No. 50]. Pursuant to 18 U.S.C. § 3161(h)(8)(A), the Court finds that the ends of justice served by the granting of such continuance outweigh the best interest of the public and the defendant in a speedy trial. This finding is based on the facts set forth in the defendant's motion.

Accordingly, **IT IS HEREBY ORDERED** that the period from the date of this order through the date in which trial begins shall be excluded from the Speedy Trial Act computations in this case pursuant to 18 U.S.C. § 3161(h)(8)(A).

**IT IS FURTHER ORDERED** that the trial in this case is now continued to Monday, April 12, 2010 at 9:00 a.m. before the Honorable John R. Tunheim. The trial will be held in Courtroom 13E at the United States Courthouse, 300 South Fourth Street, Minneapolis, MN 55415.

Dated: February 16, 2010  
at Minneapolis, Minnesota

s/ John R. Tunheim  
JOHN R. TUNHEIM  
United States District Judge